

## **MONDAY, FEBRUARY 9, 1981**

### **SIXTH LEGISLATIVE DAY**

The House met at 6:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Gary Ferrell, First Assembly Church of God, Shelbyville, Tennessee.

Representative Phillips led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 95

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussey, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

The Speaker announced that Representative Martin was excused because of business.

The Speaker announced that Representative King (Shelby) was excused because of family illness.

The Speaker announced that Representative Lowe was excused because of illness.

### **ENGROSSED BILLS**

#### **MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 8 and 32; and House Joint Resolutions Nos. 2, 9, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 27, 28, 31, 32, 33, 34, 38, 39, 40, 45, 48, 49 and 50; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

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**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 3 and 4; and House Joint Resolutions Nos. 11, 36 and 58; and find same correctly enrolled and ready for the signatures of the Speakers.

**MARILYN EVELYN HAND,**  
*Chief Engrossing Clerk.*

**SIGNED**

The Speaker announced that he had signed the following: House Resolutions Nos. 3 and 4; and House Joint Resolutions Nos. 11, 36 and 58.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos. 11, 36 and 58; all signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
*Chief Clerk.*

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 11, 36 and 58 for his action.

**MARILYN EVELYN HAND,**  
*Chief Engrossing Clerk.*

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Joint Resolution No. 58, with his approval.

**JULIA GIBBONS,**  
*Counsel to the Governor.*

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 11, 26, 36 and 46 with his approval.

**JULIA GIBBONS,**  
*Counsel to the Governor.*

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No.

6—To amend Section 55-3-120, Code; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.

40—Relative to welcoming J. A. Okalalu, Nigeria; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

CALENDAR

House Bill No. 20—To regulate transfer of vehicles to dealers.

On motion, House Bill No. 20 was made to conform with Senate Bill No. 6.

On motion, Senate Bill No. 6, on same subject, was substituted for House Bill No. 20.

Mr. Bivens moved that Senate Bill No. 6 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 177—To provide for review of Public Employee Retirement Plans.

Mr. Rhinehart moved that House Bill No. 177 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McA-

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fee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 52—To amend Section 43-16-110, Code.

Mr. Pickering moved that House Bill No. 52 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 75—To make certain provisions, selection of jurors.

Mr. Buck moved that House Bill No. 75 be passed on third and final consideration.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 75 by deleting the second word of the amendatory language of section 1 and substituting instead the word “more”.

On motion, the amendment was adopted.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 75 by deleting the period at the end of the amendatory language of Section 1 and substituting instead the following:

along with the board’s certification of the names of such regular panel, as being accurate and correct. The aforesaid certification shall be sworn to by at least a majority of the said board.

On motion, the amendment was adopted.

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Thereupon, House Bill No. 75, as amended, passed its third and final consideration by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 76—To change boundary lines, Cannon and DeKalb counties.

Mr. Buck moved that House Bill No. 76 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

On motion of Mr. Wheeler, House Joint Resolution No. 4 was withdrawn from the House.

House Joint Resolution No. 47—Relative recipient, census maps.

Mr. McKinney moved that House Joint Resolution No. 47 be adopted, which motion prevailed by the following vote:

Ayes .....	81
Noes .....	11
Present and not voting .....	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley,

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Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Ford, Gaia, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Tanner, Turner, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWhorter—81.

Representatives voting no were: Chiles, Clark (Sumner), Copeland, Duer, Frensley, Harrill, Kent, McNally, Stafford, Sterling and Ussery.—11.

Representatives present and not voting were: Duncan and Wallace—2.

A motion to reconsider was tabled.

### CONSENT CALENDAR

House Bill No. 29—To amend Charter, Centerville.

House Bill No. 60—To increase litigation tax, Coffee County.

House Bill No. 127—To grant certain authority, Sullivan County purchasing agent.

House Bill No. 185—To compensate mayor and alderman, Camden.

House Bill No. 192—To levy privilege tax, Polk County.

On motion, House Bill No. 192 was made to conform with Senate Bill No. 7.

On motion, Senate Bill No. 7, on same subject, was substituted for House Bill No. 192.

House Bill No. 345—To amend Charter, Portland.

House Joint Resolution No. 51—Relative to honoring Martin Gilbert Goodwin.

House Joint Resolution No. 52—Relative to commending Colonel W. W. Eldridge.

House Joint Resolution No. 53—Relative to congratulating Rasinda Triplett.

House Joint Resolution No. 54—Relative to congratulating Terry Boyd and Etowah Headhunters.

House Joint Resolution No. 56—Relative to memory, Dr. John R. Rice.

House Joint Resolution No. 61—Relative to honoring Dr. Shane Roy, III.

House Joint Resolution No. 65—Relative to congratulating Robert Mitchell.

House Joint Resolution No. 67—Relative to memory, Dr. Jesse Phillip Nightingale.

Senate Joint Resolution No. 9—Relative to congratulating James A. Haslam, II.

Senate Joint Resolution No. 10—Relative to memory, Ben C. Hargis.

Senate Joint Resolution No. 11—Relative to commending WTJS, Jackson.

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Senate Joint Resolution No. 12—Relative to congratulating Al C. Schmutzer, Jr.

Senate Joint Resolution No. 15—Relative to commending "Tennessee Tomorrow" campaign.

Senate Joint Resolution No. 20—Relative to honoring Dr. Joseph C. Gillespie.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

### RESOLUTIONS LYING OVER

House Joint Resolution No. 29—Relative to continuing Joint Subcommittee on Handicapped Education.

The Speaker referred House Joint Resolution No. 29 to the Committee on Calendar and Rules.

House Joint Resolution No. 30—Relative to continuing Special Joint Committee on Worker's Compensation.

The Speaker referred House Joint Resolution No. 30 to the Committee on Calendar and Rules.

Senate Joint Resolution No. 16—Relative to policy, Ku Klux Klan.

The Speaker referred Senate Joint Resolution No. 16 to the Committee on State and Local Government.

Senate Joint Resolution No. 22—Relative to congratulating Judge Ben H. Cantrell.

Under the rules, Senate Joint Resolution No. 22 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 23—Relative to congratulating Frank F. Drowota.

Under the rules, Senate Joint Resolution No. 23 was referred to the Committee on Calendar and Rules.

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Senate Joint Resolution No. 24—Relative to commending Irvin Kilcrease, Jr.

Under the rules, Senate Joint Resolution No. 24 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 25—Relative to congratulating Martha Olsen.

Under the rules, Senate Joint Resolution No. 25 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 26—Relative to commending Irving C. Waugh.

Under the rules, Senate Joint Resolution No. 26 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 27—Relative to commending Judge Thomas A. Shriver.

Under the rules, Senate Joint Resolution No. 27 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 28—Relative to memory, former Chief Justice Joseph W. Henry.

Under the rules, Senate Joint Resolution No. 28 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 29—Relative to memory, Don Whitehead.

Under the rules, Senate Joint Resolution No. 29 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 30—Relative to congratulating Senator Howard Baker.

Under the rules, Senate Joint Resolution No. 30 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 35—Relative to honoring Donald T. Cooke.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. McKinney, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Lashlee moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 68 out of order, which motion prevailed.

House Joint Resolution No. 68—Relative to honoring Representative W.R. "Spot" Lowe— By Lashlee, Burnett, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley,

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Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

Mr. Lashlee moved that House Joint Resolution No. 68 be adopted, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 70 out of order, which motion prevailed.

House Joint Resolution No. 70—Relative to welcoming Victor Noah Enape, Nigeria—By DeBerry, Love, Pruitt, Withers, Robinson (Hamilton), Brewer, McKinney, Ellis, Robinson (Davidson) and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

### MOTIONS

On motion of Mr. McKinney, House Joint Resolution No. 37 was withdrawn from the House.

On motion of Mr. Wood, House Bill No. 293 was recalled from the Committee on General Welfare.

On motion of Mr. Wood, House Bill No. 293 was referred to the Committee on Education.

### SECOND ROLL CALL

The roll call was taken with the following results:

Present .....	94
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Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark

(Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94

### **INTRODUCTION OF RESOLUTION**

House Resolution No. 7—Relative to commending certain Metro Police officers—By Covington.

Under the rules, House Resolution No. 7 was referred to the Committee on Calendar and Rules.

### **INTRODUCTION OF BILLS**

House Bill No. 546—To make certain provisions, post mortem examinations—By Kent.

Passed first consideration.

House Bill No. 547—To allow confiscation of property used in certain crimes—By Kent.

Passed first consideration.

House Bill No. 548—To make certain provisions, employment of teachers—By Brewer, Murphy (Shelby) and Rhinehart.

Passed first consideration.

House Bill No. 549—To make certain provisions, payments in lieu of taxes, hospitals—By Copeland.

Passed first consideration.

House Bill No. 550—To provide for salary increases, certain public officials—By Copeland, McAfee, Carter and Wood.

Passed first consideration.

House Bill No. 551—To provide for filling vacancies, county offices—By Rhinehart.

Passed first consideration.

House Bill No. 552—To define duties, Attorney General and Reporter—By Rhinehart, Murray and Davidson.

Passed first consideration.

House Bill No. 553—To make certain provisions, medical assistance—By Carter and Martin.

Passed first consideration.

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House Bill No. 554—To make provisions, road commission, Carroll County—By Lashlee and Kelley.

Passed first consideration.

House Bill No. 555—To amend certain terms of office, Linden—By Duncan.

Passed first consideration.

House Bill No. 556—To regulate sale, tobacco products to minors—By Jared, Bivens, McNally and Clark (Sumner).

Passed first consideration.

House Bill No. 557—To make certain provisions, liens on boats—By Jared, Rhinehart and Buck.

Passed first consideration.

House Bill No. 558—To authorize tax on lodging, Monteagle—By Rhinehart and Murray.

Passed first consideration.

House Bill No. 559—To amend Title 8, Chapter 35; Code—By Davis (Pickett).

Passed first consideration.

House Bill No. 560—To restrict campaign contributions—By Yelton and Akard.

Passed first consideration.

House Bill No. 561—To provide parking privileges, handicapped persons—By Montgomery, Yelton, Akard, Whitson, Bivens and Robinson (Washington).

Passed first consideration.

House Bill No. 562—To provide for Superintendent of Education, Anderson County—By Wheeler and McNally.

Passed first consideration.

House Bill No. 563—To amend Chapter 54, Title 7; Code—By Davis (Hamilton), Murphy (Davidson), Starnes, Robinson (Davidson), Ellis, Disspayne and Cobb.

Passed first consideration.

House Bill No. 564—To amend Title 6, Chapter 51, Code—By Owen, Scruggs and Severance.

Passed first consideration.

House Bill No. 565—To regulate automobile auctions—By Clark (Davidson), Covington, Murphy (Davidson), Disspayne and Ellis.

Passed first consideration.

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House Bill No. 566—To repeal Section 39-4001 and 39-4002, Code—By Covington.

Passed first consideration.

House Bill No. 567—To authorize counties to levy privilege tax, entertainment—By Miller and Owen.

Passed first consideration.

House Bill No. 568—To authorize bond issue, bridge, Ft. Loudon Lake—By Stafford, McNally and Henry (Blount).

Passed first consideration.

House Bill No. 569—To provide proficiency testing, high school seniors—By Lashlee, Bragg, Rhinehart, Naifeh and Henry (Blount).

Passed first consideration.

House Bill No. 570—To provide for special census, certain counties—By Scruggs and Owen.

Passed first consideration.

House Bill No. 571—To amend Title 6, Chapter 3, Code—By Scruggs and Owen.

Passed first consideration.

House Bill No. 572—To amend Chapter 62, Public Acts 1969—By Scruggs and Owen.

Passed first consideration.

House Bill No. 573—To regulate purchase money security interests—By Rhinehart.

Passed first consideration.

House Bill No. 574—To make certain provisions, certificates of deposit—By Rhinehart.

Passed first consideration.

House Bill No. 575—To make certain provisions, wholesale liquor purchases—By Rhinehart.

Passed first consideration.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 8—To amend Title 6, Chapter 51, Code.

Passed first consideration.

Senate Bill No. 16—To amend Title 49, Chapters 11, 32 and 33, Code.

Passed first consideration.

Senate Bill No. 78—To exempt services, court reporters, Business Tax Act.

Passed first consideration.

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Senate Bill No. 89—To amend Title 8, Chapter 39, Part 5, Code.

Passed first consideration.

Senate Bill No. 162—To amend Section 67-1304, Code.

Passed first consideration.

Senate Bill No. 167—To amend Section 8-30-318, Code.

Passed first consideration.

Senate Bill No. 169—To amend Section 4-27-105, Code.

Passed first consideration.

Senate Bill No. 174—To amend Section 67-5815, Code.

Passed first consideration.

Senate Bill No. 206—to amend Section 12-2-403, Code.

Passed first consideration.

Senate Bill No. 207—To amend Tax Enforcement Procedures Act.

Passed first consideration.

Senate Bill No. 212—To amend Section 67-101, Code.

Passed first consideration.

Senate Bill No. 219—To amend Section 67-4102, Item 5, Code.

Passed first consideration.

Senate Bill No. 295—To create perpetual trust funds, certain counties.

Passed first consideration.

### **HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 434—To allow peace officers to make certain arrests.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 435—To continue funding, certain Assistant District Attorneys General.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 436—To provide for agricultural fairs youth advisory council.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 437—To allow counties to levy certain tax.

Passed second consideration and referred to Committee on State and Local Government.

## **MONDAY, FEBRUARY 9, 1981—6th LEGISLATIVE DAY**

House Bill No. 438—To set specifications, voting machines.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 439—To enact the Commission on Aging Act.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 440—To make certain provisions, arrest without a warrant.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 441—To set qualification, general sessions court judges.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 442—To continue funding, certain judicial circuits.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 443—To amend Section 8-7-201, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 444—To make certain provisions, retired county officials.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 445—To amend the Bank Structure Act of 1974.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 446—To regulate hunting, certain counties.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 447—To make certain provisions, Consolidated Retirement System.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 448—To make certain provisions, hearing-impaired persons.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 449—To amend Section 49-1306, Code.

Passed second consideration and referred to Committee on Education.

House Bill No. 450—To define certain duties, school superintendents.

Passed second consideration and referred to Committee on Education.

House Bill No. 451—To regulate Alcoholic Beverage Commission.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 452—To amend Section 53-6317, Code.

## MONDAY, FEBRUARY 9, 1981—6th LEGISLATIVE DAY

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 453—To amend the criminal bad check law.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 454—To increase width of private roads to landlocked properties.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 455—To enact the Financial Disclosure Law of 1981.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 456—To regulate eminent domain proceedings by drainage districts.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 457—To make certain provisions, citizen's suits.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 458—To amend Charter, Signal Mountain.

Passed second consideration and held without reference.

House Bill No. 459—To allow pharmacists to dispense certain drugs.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 460—To make provision, defaults on certain loans.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 461—To make certain provisions, irreconcilable differences, divorces.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 462—To require certiorari and supersedeas, Circuit Court.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 463—To enact Small Business and Local Development Loan Program.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 464—To amend Section 57-4-102, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 465—To designate portion, Highway 70 S. as scenic highway.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 466—To make certain provisions, county government.

Passed second consideration and referred to Committee on State and Local Government.

## **MONDAY, FEBRUARY 9, 1981—6th LEGISLATIVE DAY**

House Bill No. 467—To amend Charter, Niota.

Passed second consideration and held without reference.

House Bill No. 468—To make certain provisions, compensation to jurors.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 469—To amend purchasing law, Carroll County.

Passed second consideration and held without reference.

House Bill No. 470—To provide for repair and restoration, historic structures.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 471—To make certain provisions, Public Service Commission.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 472—To provide for disabled agents Bureau of Investigation.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 473—To amend Title 6, Chapter 18, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 474—To make lawful to sell alcoholic beverages, Commerical Airports.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 475—To notify depositor of maturing certificates.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 476—To allow plea agreements in criminal cases.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 477—To allow condemning land, highway purposes.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 478—To amend Sections 6-20-218, 6-54-508 and 6-54-509, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 479—To amend Section 24-5-113, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 480—To raise privilege tax, marriage licenses.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 481—To allow for election, certain board members, public hospitals.

Passed second consideration and referred to Committee on General Welfare.

## **MONDAY, FEBRUARY 9, 1981—6th LEGISLATIVE DAY**

House Bill No. 482—To reduce sale of metallic beverage containers.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 483—To amend Section 57-5-105, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 484—To amend Section 49-1002, Code.

Passed second consideration and referred to Committee on Education.

House Bill No. 485—To amend Title 2, Chapter 4, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 486—To provide compensation, certain correctional officers.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 487—To amend Title 2, Chapter 6, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 488—To amend Section 2-14-203, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 489—To amend Section 2-5-101, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 490—To set certain requirements, burials.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 491—To provide for filling of vacancies, county officers.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 492—To appropriate certain funds, department of correction.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 493—To amend Title 29, Chapter 13, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 494—To amend Title 37, Chapter 2, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 495—To permit certain purchases by small businesses.

Passed second consideration and held without reference.

House Bill No. 496—To amend Title 4, Chapter 6, Code.

Passed second consideration and referred to Committee on Education.

## **MONDAY, FEBRUARY 9, 1981—6th LEGISLATIVE DAY**

House Bill No. 497—To amend Section 2-4-107, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 498—To provide for filling of vacancies, county offices.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 499—To require equity certain institutions, agricultural funding.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 500—To appropriate certain funds, T.S.U .

Passed second consideration and referred to Committee on Education.

House Bill No. 501—To appropriate funds, study sickle cell anemia.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 502—To provide certain training program, Meharry Medical College.

Passed second consideration and referred to Committee on Education.

House Bill No. 503—To make certain requirements, Board of Barber Examiners.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 504—To set certain requirements, Election Commission.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 505—To remove requirement, absentee ballots be counted by precincts.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 506—To authorize minimum attendance standards, schools.

Passed second consideration and referred to Committee on Education.

House Bill No. 507—To make certain provisions, obstruction of justice.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 508—To set penalty, conspiracy.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 509—To compensate certain employees, TBI.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 510—To grant certain authority, TBI.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 511—To create chancellor, 17th Chancery Division.

Passed second consideration and referred to Committee on Judiciary.

## **MONDAY, FEBRUARY 9, 1981—6th LEGISLATIVE DAY**

House Bill No. 512—To establish pilot program, Hamilton County.

Passed second consideration and referred to Committee on Education.

House Bill No. 513—To establish pilot program, Hamilton County.

Passed second consideration and referred to Committee on Education.

House Bill No. 514—To adjust sitting, court of criminal appeals.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 515—To repeal chapter 746, Public Acts, 1980.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 516—To provide for extended use of school text books.

Passed second consideration and referred to Committee on Education.

House Bill No. 517—To impose penalty for sale, certain substances.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 518—To recompute certain benefits, Consolidated Retirement System.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 519—To amend Section 36-507, Code.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 520—To provide directional signs, Sullivan South High School.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 521—To amend Section 63-1403 and 63-1407, Code.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 522—To amend Section 67-3012, Code.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 523—To amend Title 7, Chapters 37 and 53, Code.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 524—To appropriate funds, cystic fibrosis.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 525—To set standards, sewage disposal systems.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 526—To allow appeal, assessor of property.

Passed second consideration and referred to Committee on State and Local Government.

## **MONDAY, FEBRUARY 9, 1981—6th LEGISLATIVE DAY**

**House Bill No. 527—To repeal certain subsurface sewage disposal systems.**

**Passed second consideration and referred to Committee on General Welfare.**

**House Bill No. 528—To continue Commission on Status of Women.**

**Passed second consideration and referred to Committee on Government Operations.**

**House Bill No. 529—To extend term, Commissioner of Education.**

**Passed second consideration and referred to Committee on Education.**

**House Bill No. 530—To regulate practice of dentistry.**

**Passed second consideration and referred to Committee on General Welfare.**

**House Bill No. 531—To amend Title 4, Chapter 24, Part 1, Code.**

**Passed second consideration and referred to Committee on State and Local Government.**

**House Bill No. 532—To amend Section 45-3-902, Code.**

**Passed second consideration and referred to Committee on Government Operations.**

**House Bill No. 533—To transfer for labor studies.**

**Passed second consideration and referred to Committee on Government Operations.**

**House Bill No. 534—To amend Title 62, Chapter 5, Code.**

**Passed second consideration and referred to Committee on State and Local Government.**

**House Bill No. 535—To repeal Section 33-819, Code.**

**Passed second consideration and referred to Committee on Government Operations.**

**House Bill No. 536—To terminate human development commission.**

**Passed second consideration and referred to Committee on Government Operations.**

**House Bill No. 537—To establish termination dates, certain governmental entities.**

**Passed second consideration and referred to Committee on Government Operations.**

**House Bill No. 538—To make certain provisions, agency rule-making.**

**Passed second consideration and referred to Committee on Government Operations.**

**House Bill No. 539—To make certain provisions, agency rule-making.**

**Passed second consideration and referred to Committee on Government Operations.**

**House Bill No. 540—To amend Uniform Administrative Procedures Act.**

**Passed second consideration and referred to Committee on Government Operations.**

**House Bill No. 541—To make certain provisions, agency rule-making.**

**Passed second consideration and referred to Committee on Government Operations.**

## **MONDAY, FEBRUARY 9, 1981—6th LEGISLATIVE DAY**

House Bill No. 542—To allow sheriffs to enforce ordinances, certain municipalities.  
Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 543—To make certain provisions, legislative committee meetings.  
Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 544—To amend Section 12-8-101, Code.  
Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 545—To authorize counties or towns to own hot mix asphalt plants.  
Passed second consideration and referred to Committee on State and Local Government.

### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

77—To amend Section 36-801, Code;  
79—To amend Sections 40-2503 and 20-7-106, Code;  
119—To regulate training, coon dogs;  
138—To amend Tennessee County Uniform Highway Law;  
238—To amend Title 54, Chapter 14, Part 1, Code;  
246—To amend Charter, Gadsden;  
250—To impose privilege tax, Crockett County;  
395—To amend Charter, Bluff City; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

### **REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, February 11, 1981: House Bills Nos. 77, 82, 131 and 132.

GILL, *Chairman.*

### **LOCAL BILL REFERRED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 210.

### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 2, 4, 6, 7, 8, 13 and 18; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

**SIGNED**

The Speaker announced that he had signed the following: **Senate Joint Resolutions Nos. 2, 4, 6, 7, 8, 13 and 18.**

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1—Baker

House Bill No. 22—Yelton

House Bill No. 195—Yelton

House Bill No. 196—Yelton

House Bill No. 292—Yelton

House Bill No. 451—Miller

House Resolution No. 1—Yelton

House Joint Resolution No. 3—Yelton

On motion of Mr. Burnett, the House adjourned until 1:30 p.m., **Wednesday, February 11, 1981.**